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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING

Attorney Docket No. NAI1P063/01.305.01

First Named Inventor:

Herbert V. Joiner et al.

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JC678 U.S. PTO

Transmittal and the documents and/or fees itemized hereon and
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UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR § 1.53(b))

Commissioner for Patents
Box Patent Application
Washington, DC 20231

Duplicate for
fee processing

Sir: This is a request for filing a patent application under 37 CFR § 1.53(b) in the name of inventors:
Herbert V. Joiner, Praveen Raghuraman, and Ravi Verma

For SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR A NETWORK ANALYZER
BUSINESS MODEL

Application Elements:

- 44 Pages of Specification, Claims and Abstract
28 Sheets of Drawings
02 Pages Combined Declaration and Power of Attorney

Accompanying Application Parts:

- Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)
37 CFR 3.73(b) Statement by Assignee
Information Disclosure Statement with Form PTO-1449
Copies of IDS Citations
Preliminary Amendment
Return Receipt Postcard
Small Entity Statement(s)
Request and Certification under 35 U.S.C. 122(b)(2)(B)(i)
Other:

Fee Calculation (37 CFR § 1.16)

Table with 6 columns: (Col. 1) NO. FILED, (Col. 2) NO. EXTRA, SMALL ENTITY RATE, OR, LARGE ENTITY RATE, FEE. Rows include BASIC FEE, TOTAL CLAIMS, INDEP CLAIMS, Multiple Dependent Claim Presented, and Total fees.

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**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

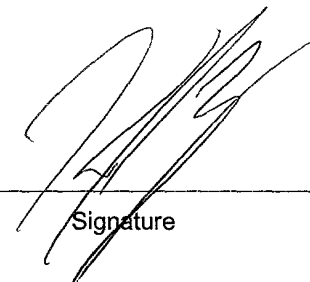
First Named Inventor Herbert V. Joiner et al.

Title System, Method and computer program product for a Network  
Analyzer Business Model

Atty Docket Number NAI1P063/01.305.01

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12/2/01  
Date

  
Signature  
Kevin J. Zilka, Reg. No. 41,429  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.